

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
In re UBS AUCTION RATE SECURITIES )  
LITIGATION )

Master File No. 08-cv-02967 (LMM)

THIS DOCUMENT RELATES TO: )  
ALL ACTIONS )  
\_\_\_\_\_

[additional captions follow]

NOTICE OF MOTION TO ADMIT PRO HAC VICE

**MILBERG LLP**

Jerome M. Congress

Kent A. Bronson

One Pennsylvania Plaza, 49th Floor

New York, New York 10119

Telephone: (212) 594-5300

[jcongress@milberg.com](mailto:jcongress@milberg.com)

[kbronson@milberg.com](mailto:kbronson@milberg.com)

<hr/>		X
RANDOLPH BONNIST, Individually and On	)	
Behalf Of Himself And All Others Similarly	)	
Situated,	)	
	)	
Plaintiff,	)	Case No. 08-cv-4352 (LMM)
	)	
vs.	)	
	)	
UBS AG, UBS SECURITIES LLC and UBS	)	
FINANCIAL SERVICES, INC.,	)	
	)	
Defendants.	)	
	)	
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RONALD D. KASSOVER, on behalf of himself	)	
and all others similarly situated,	)	
	)	
Plaintiff,	)	
	)	Case No. 08-cv-02753 (LMM)
vs.	)	
	)	
UBS AG and UBS FINANCIAL SERVICES,	)	
INC.,	)	
	)	
Defendants.	)	
	)	
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ARIC A. STREIT and MARY STREIT as	)	
Trustees for the benefit of the STREIT LIVING	)	
TRUST, Individually And On Behalf of All Others	)	
Similarly Situated,	)	
	)	Case No. 08-cv-5251 (LMM)
Plaintiffs,	)	
	)	
v.	)	
	)	
UBS AG, UBS SECURITIES LLC and UBS	)	
FINANCIAL SERVICES, INC.,	)	
	)	
Defendants.	)	
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**TO: ALL PARTIES AND THEIR COUNSEL OF RECORD**

PLEASE TAKE NOTICE that upon the annexed affidavit of Jerome M. Congress, a member of the law firm of Milberg LLP and a member in good standing of the bar of this Court, in support of this motion, and the Certificate of Good Standing of Jeff S. Westerman, annexed hereto (as Exhibits A and B, respectively), we will move this Court before the Honorable Lawrence M. McKenna at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an Order allowing the admission of

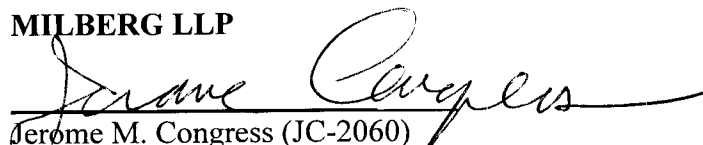
Jeff S. Westerman, Esq.  
Milberg LLP  
One California Plaza  
300 South Grand Avenue Suite 3900  
Los Angeles, California 90071  
Tel.: 213-617-1200  
Fax: 213-617-1975  
E-mail: jwesterman@milberg.com

as attorney *pro hac vice* to argue or try this case in whole or in part as counsel. Jeff S.

Westerman is a member in good standing of the bar of the State of California. There are no pending disciplinary proceedings against this applicant in any State or Federal court.

DATED: June 13, 2008

**MILBERG LLP**

  
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Kent A. Bronson (KB-4906)  
One Pennsylvania Plaza  
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Facsimile: (212) 868-1229  
jcongress@milberg.com

***Attorneys for Plaintiffs***

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

_____	x	
In re UBS AUCTION RATE SECURITIES	)	
LITIGATION	)	
	)	Master File No. 08-cv-02967 ( <i>LMM</i> )
THIS DOCUMENT RELATES TO:	)	
ALL ACTIONS	)	
_____	x	

[*additional captions follow*]

**AFFIDAVIT OF JEROME M. CONGRESS IN SUPPORT  
OF MOTION TO ADMIT COUNSEL *PRO HAC VICE***

**MILBERG LLP**  
Jerome M. Congress  
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Plaintiff,	)	Case No. 08-cv-4352 (LMM)
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vs.	)	
	)	
UBS AG, UBS SECURITIES LLC and UBS	)	
FINANCIAL SERVICES, INC.,	)	
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Defendants.	)	
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Plaintiff,	)	Case No. 08-cv-02753 (LMM)
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vs.	)	
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Plaintiffs,	)	
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v.	)	
	)	
UBS AG, UBS SECURITIES LLC and UBS	)	
FINANCIAL SERVICES, INC.,	)	
	)	
Defendants.	)	
<hr/>		X

STATE OF NEW YORK     )  
                                      ) ss:  
COUNTY OF NEW YORK )

I, Jerome M. Congress, being, being duly sworn, deposes and says:

1.     I am an attorney duly admitted to practice before the Courts of the State of New York and the United States District Court for the Southern and Eastern Districts of New York, as well as the United States Court of Appeals for Second Circuit. I am a member of the law firm of Milberg LLP, co-counsel for plaintiffs in this action. I submit this affidavit in support of the motion to Admit Counsel *Pro Hac Vice* for attorney Jeff S. Westerman, a member of the law firm of Milberg LLP, to appear and practice in this Court in this matter on behalf of plaintiffs. I am familiar with the proceedings in this case, and make this statement based upon my personal knowledge of the facts set forth herein.

2.     I was admitted to practice law in 1966. I am a member of the bar in good standing in this Court and have never been subjected to disciplinary proceedings in any jurisdiction.

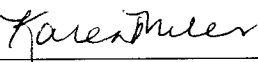
3.     I have known Jeff S. Westerman since 1996 and have found him to be a skilled attorney and a person of integrity, and experienced in Federal practice and familiar with the Federal Rules of Procedure.

4.     I respectfully submit a proposed order granting the admission of Jeff S. Westerman, *pro hac vice*, which is attached here to as Exhibit A.

WHEREFORE, it is respectfully requested that the motion for admission of Jeff S. Westerman, *pro hac vice*, to represent plaintiffs in the above-captioned matter, be granted.

  
JEROME M. CONGRESS

Sworn to before me this  
13<sup>th</sup> day of June, 2008

  
Notary Public

KAREN T. MILES  
Notary Public, State of New York  
No. 01MI4704613  
Qualified in New York County  
Commission Expires April 30, 2011

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

_____	x	
In re UBS AUCTION RATE SECURITIES	)	
LITIGATION	)	
	)	Master File No. 08-cv-02967 (LMM)
THIS DOCUMENT RELATES TO:	)	
ALL ACTIONS	)	
_____	x	
[additional captions follow]		

**[PROPOSED] ORDER ON ADMISSION TO PRACTICE *PRO HAC VICE***

**MILBERG LLP**  
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vs.	)	
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UBS AG, UBS SECURITIES LLC and UBS	)	
FINANCIAL SERVICES, INC.,	)	
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Defendants.	)	
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RONALD D. KASSOVER, on behalf of himself	)	
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Plaintiff,	)	Case No. 08-cv-02753 (LMM)
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vs.	)	
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UBS AG and UBS FINANCIAL SERVICES,	)	
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Trustees for the benefit of the STREIT LIVING	)	
TRUST, Individually And On Behalf of All Others	)	
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	)	Case No. 08-cv-5251 (LMM)
Plaintiffs,	)	
	)	
v.	)	
	)	
UBS AG, UBS SECURITIES LLC and UBS	)	
FINANCIAL SERVICES, INC.,	)	
	)	
Defendants.	)	
<hr/>		X

Upon the motion of Jerome M. Congress, attorney for Plaintiffs, and said sponsor's affidavit in support,

IT IS HEREBY ORDERED THAT

Jeff S. Westerman, Esq.  
Milberg LLP  
One California Plaza  
300 South Grand Avenue Suite 3900  
Los Angeles, California 90071  
Tel.: 213-617-1200  
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is admitted to practice *pro hac vice* as counsel for plaintiffs in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this court are subject to the Local Rules of this Court, including the rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

DATED: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
HONORABLE LAWRENCE M. MCKENNA



## THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

May 27, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JEFF S. WESTERMAN, #94559 was admitted to the practice of law in this state by the Supreme Court of California on December 16, 1980; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over the printed name.

Kath Lambert  
Custodian of Membership Records

I, Todd L. Kammerman, hereby certify that on June 13, 2008, I caused a true and correct copy of the foregoing Notice of Motion Admit Counsel *Pro Hac Vice*, Affidavit of Jerome M. Congress in Support of Motion to Admit Counsel *Pro Hac Vice*, and [Proposed] Order on Admission to Practice *Pro Hac Vice* via first class mail to:

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Joel P. Laitman  
Frank R. Schirripa  
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